

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

DUSTIN BURNIKEL,

Plaintiff,

v.

MICHAEL FONG, individually and in his official capacity as a law enforcement officer with the Des Moines Police Department; GREG WESSELS, , individually and in his official capacity as a law enforcement officer with the Des Moines Police Department; and CITY OF DES MOINES, IOWA,

Defendants.

4:15-cv-00050-RGE-HCA

**STATUS ORDER
RE: REQUEST FOR
VIDEOGRAPHY**

Now before the Court is the parties' oral request to record by videography expert witness testimony relevant to Phase II of the trial outside of the jury's presence, but in the courtroom during Phase I of the trial.

The Court lacks the capacity to offer videography recording services to the parties. Thus, the parties will not be using court resources to record their expert witnesses' testimony. To efficiently use court time and to prevent undue delay for the jurors called to serve, the Court expects the parties to preserve the anticipated Phase II expert witness testimony outside of court at a date, time, and location agreed to by the parties. Should the parties be unable to agree to any such evidence preservation without objection, the Court will expect the expert witnesses to testify in person during Phase II of the trial.

The request to use court time to preserve expert witness testimony for Phase II of the trial during Phase I of the trial is DENIED.

IT IS SO ORDERED.

Dated this 30th day of October, 2018.


REBECCA GOODGAME EBINGER
UNITED STATES DISTRICT JUDGE